

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 22-222(1) (NEB/TNL)

UNITED STATES OF AMERICA,

Plaintiff,

v.

LIBAN YASIN ALISHIRE,

Defendant.

**GOVERNMENT'S RESPONSE TO  
DEFENDANT'S MOTION TO MODIFY  
CONDITIONS OF RELEASE**

The United States of America, by and through its attorneys, Andrew M. Luger, United States Attorney for the District of Minnesota, and Joseph H. Thompson, Harry M. Jacobs, Chelsea A. Walcker, and Matthew S. Ebert, Assistant United States Attorneys, respectfully submits this response to defendant's motion for modification of release conditions to allow the return of his passport and to permit his travel to Nairobi, Kenya. Dkt. #123.

**I. BACKGROUND**

**A. Alishire's Fraudulent Scheme and Money Laundering**

Defendant Liban Alishire participated in a multi-million dollar scheme to defraud the federal child nutrition program, a program designed to provide free meals to children in need. He and his co-conspirators obtained, misappropriated, and laundered millions of dollars in program funds that were intended as reimbursements for the cost of serving meals to children. They exploited changes in the program intended to ensure underserved children received adequate nutrition during the Covid-19 pandemic. Rather than feed children, Alishire exploited the Covid-19

pandemic—and the resulting program changes—to enrich himself by fraudulently misappropriating millions of dollars in federal child nutrition program funds, which he laundered and used to purchase real estate and cars, including a resort in Diani Beach, Kenya, and a 5-bedroom apartment in Nairobi, Kenya.

Alishire was the president and owner of Community Enhancement Services Inc., a company located in the JigJiga Business Center in Minneapolis. He enrolled Community Enhancement Services in the Federal Child Nutrition Program under the sponsorship of Feeding Our Future. He claimed that the company was operating a food distribution site at the JigJiga Business Center in Minneapolis.

Alishire claimed—falsely—that the Community Enhancement Services site was serving meals to as many as 2,700 children a day, seven days a week. He submitted fake attendance rosters and invoices in support of these fraudulent claims.

Alishire and his co-defendants, Ahmed Ali and Khadar Adan, also created a second Federal Child Nutrition Program site in the JigJiga Business Center. This second site was run by Lake Street Kitchen and operated under the sponsorship of Feeding Our Future.

As part of his scheme, Alishire also created a fake distribution company, Ace Distribution Services. He falsely claimed that Ace Distribution Services provided meals to be served to children at the Community Enhancement Services and Lake Street Kitchen sites. Alishire created and submitted invoices fraudulently claiming that Ace Distribution Services was entitled to hundreds of thousands of

dollars in Federal Child Nutrition Program funds for providing meals to be served at the sites.

Over an nine-month period from between February and October 2021, Alishire falsely claimed that Community Enhancement Services served more than 800,000 meals to children. He claimed that Lake Street Kitchen served an additional 70,000 meals from December 2020 through April 2021. Based on these fraudulent claims, he and his co-conspirators received more than \$1.7 million in Federal Child Nutrition Program funds from Feeding Our Future.

#### **B. Alishire's Money Laundering**

Alishire transferred most of his fraud proceeds to a shell company in order to conceal the source of the funds and his ownership and control over those funds. He used some of the money to pay more than \$200,000 in kickbacks to a Feeding Our Future employee. He also used the funds to purchase a truck and a boat in Minnesota and real estate in Kenya. In November 2021, he purchased several rental units at the Karibu Palms Resort, which is on the Indian Ocean in Diani Beach, Kenya. In January 2022, he purchased a 5-bedroom apartment in Nairobi, Kenya.

#### **C. Alishire's Guilty Plea**

In September 2022, Alishire was charged with wire fraud, money laundering, and bribery. Dkt. #1. He pled guilty to wire fraud and money laundering on January 24, 2023. Dkt. #70. According to his plea agreement, he faces a Guidelines range of 41 to 51 months in prison. He also agreed to pay more than \$700,000 in restitution.

Following a hearing on September 22, 2022, the Court issued an Order Setting Conditions of Release, including that he surrender his passport, abide by a curfew as set by the Pretrial Services office, and not travel outside the State of Minnesota without the Court's permission. Dkt. #22.

## **II. ALISHIRE'S MOTION TO TRAVEL TO KENYA**

Alishire has filed a motion seeking permission from this Court for return of his passport and to travel to Kenya for 60 days. Dkt. #123. Alishire says he needs to travel to Kenya to arrange for the sale of the properties he agreed to forfeit to the government. He claims that his presence in Kenya will allow him "to sell [the properties] for a greater sum than the Government would be able to." Dkt. #123 at 5.

While the government appreciates Alishire's desire to pay restitution, the government opposes his request to travel to Kenya because there are no conditions that will ensure his return to the United States to face sentencing. Alishire has a motive to flee. He has been convicted of carrying out a multi-million dollar fraud and faces the prospect of a lengthy prison sentence in the United States. At the same time, he has significant ties to Kenya. He owns multiple properties there. And his 6-year-old daughter is currently in nearby Uganda.

Courts routinely impose travel restrictions on defendants on pretrial release, and for good reason. As a general matter, international travel poses an inherent risk that a defendant will flee the country. That risk is heightened here in light of Alishire's significant ties to Kenya. If Alishire were to travel to Kenya, he would be outside of the supervision of the pretrial services office and beyond the reach of American law enforcement.

### III. CONCLUSION

For the reasons set forth above, the government respectfully requests that his motion to travel be denied.

Dated: October 16, 2023

Respectfully Submitted,

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United States Attorney

/s/ Joseph H. Thompson  
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